From: Christopher Mathews
To: Balleste, Sonia
Cc: Eligio Lara
Subject: Procedural Questions from SMPD
Date: Saturday, August 6, 2022 9:04:36 AM

Hi Sonia,

I wanted to reach out to your office regarding a couple issues/concerns that have come up recently and get your input on the DA's office opinion on the matters.

1. As I'm sure you know, the city has installed a significant amount of license plate reading (LPR) cameras in the city. The question was posed, how detailed do we need to be in our reports regarding the use of these LPR's. For example, if a camera gives us a "Hot Hit" alert on a stolen vehicle, and officers check the area/locate the vehicle, is it necessary to put verbiage in the report such as…"on such and such date, I received a FLOCK LPR hit regarding a stolen vehicle near A/B Streets?" Because these arrestees often get copies of their reports and share them throughout the jail and with others, we would obviously like to keep them as off the radar as possible to these repeat offenders. I am sure the word has already spread that these cameras exist in the city, just want to slow the spread if possible.

   For a case such as this, can officers just say in their report… On date/time, I was in the area of A/B Streets when I observed stolen vehicle ABC123, which returned stolen out of SMPD and leave out the part about the FLOCK LPR Hit. In this case it is more of a tool than evidentiary I would say.

   Having said that, I know that if the camera's are used as more of a canvassing tool which helps develop a suspect, which leads to an ID, so on and so forth, I know that it is absolutely required to reference the use of the LPR system when it is used in identifying suspect vehicles, suspects, etc in cases like shootings/stabbings/robberies, etc.

   Can you provide any feedback on this matter?

2. As with all departments, we are very short staffed at the moment, making it hard to meet minimum staffing on a daily basis. Officers are still out doing good work, which leads to arrest, which leads to court, trials, etc…part of doing business. This, along with the backlog of cases that seem to now be moving forward after COVID restrictions lifted make things difficult.

   Recently some patrol officers have had jury trials, and multiple times, back-to-back trials. During these cases, a patrol officer has been designated as the I.O. in the case, taking him/her off the streets for a week or two at a time, which hurts staffing. Frankly, we just don't have the staffing to lose officers for weeks at a time to trial.

My question is, is it always necessary to have a patrol officer present for an entire trial, jury selection, and all, as the investigating officer? Or can the officer be subpoenaed to testify at a given date/time instead? I do think the whole trial experience has tremendous value for officers and only makes them better. I'm just wondering if we can have a happy medium moving forward during these tough times of low staffing.

I really appreciate your time on this.

Respectfully,

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